THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.9740 of 2004

Dated: 04-08-2005

Between:

M/s Tilak Enterprises, Vijayawada

Petitioner …

And

The Sub Registrar of Assurances,

Gunadala, Vijayawada, Krishna District

and others. Respondents…

ORDER:

The action of the 1st respondent-Sub Registrar of Assurances, in not registering the lease deeds, on the instructions of the 2nd respondent-District Collector, is questioned in this writ petition as illegal and arbitrary.

As per Section 22-A of the Registration Act (for short 'the Act') only if the Government issues a notification and declares that registration of any

document is opposed to public policy, registering authority cannot refuse to register the documents presented for registration.

Since, no notification under Section 22-A of the Act, admittedly is issued by the Government prohibiting registration of documents in respect of the property in question action of the 1st respondent in refusing to register the documents is improper.

Therefore, the petition is disposed of with a direction to the 1st respondent to register document No.220 of 2000 in respect of the land in N.T.S.No.771, Revenue Ward No.9, bearing D.No.29-16-5, if no notification prohibiting registration of document in respect of the said survey number is issued by the Government under Section 22-A of the Act. No costs.

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C.Y. SOMAYAJULU, J

Dated: 04-08-2005

LSK